

ATTACHMENT 1



Rezoning Affidavit Package

Please read carefully

On July 10, 2006, the Board of Supervisors of Fairfax County, Virginia, adopted revisions to the land use affidavit forms to be used with rezoning, special exception, special permit, and variance applications. The Planning Commission adopted its reaffirmation procedures on April 4, 2002. On February 24, 2003, the Board of Supervisors approved amendments to its "Reaffirmation Procedure for Affidavits."

Important! The adopted Affidavits and Reaffirmation of Affidavit forms shall not be altered or modified in any way. Any form that is altered or modified in any way will not be accepted.

Contents

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Instructions

For your convenience, the *Date* and *Application Number(s)* need only be entered once and will automatically duplicate on each page of this document. Additional copies of the Affidavit and its Attachments can be downloaded as a complete package or individually at www.fairfaxcounty.gov/dpz/affidavits/.

Please note: Acrobat Reader will NOT allow you to save changes made to this document. Any information you enter in the form fields will be lost when the PDF file is closed; therefore, be sure to print and review your document before closing.

If you have a complete version of Acrobat installed on your computer, your changes may be saved for later use.

Support

If you are unsure as to which form to use, please call:
County of Fairfax, Department of Planning and Zoning at 703-324-1290, TTY 711.

For further information or additional forms:
www.fairfaxcounty.gov/dpz/affidavits/

REZONING AFFIDAVIT

DATE: _____
(enter date affidavit is notarized)

I, _____, do hereby state that I am an
(enter name of applicant or authorized agent)

(check one) ☐ applicant
 ☐ applicant's authorized agent listed in Par. 1(a) below

in Application No.(s): _____
(enter County-assigned application number(s), e.g. RZ 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
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(check if applicable) ☐ There are more relationships to be listed and Par. 1(a) is continued on a "Rezoning Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

REZONING AFFIDAVIT

DATE: _____
(enter date affidavit is notarized)

for Application No. (s): _____
(enter County-assigned application number(s))

1(b). The following constitutes a listing*** of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders, and if the corporation is an owner of the subject land, all of the OFFICERS and DIRECTORS of such corporation:

(NOTE: Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS** herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

DESCRIPTION OF CORPORATION: (check one statement)

- ☐ There are 10 or less shareholders, and all of the shareholders are listed below.
- ☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- ☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial, and last name)

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. **President, Vice President, Secretary, Treasurer, etc.**)

(check if applicable) ☐ There is more corporation information and Par. 1(b) is continued on a "Rezoning Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

REZONING AFFIDAVIT

DATE: _____
(enter date affidavit is notarized)

for Application No. (s): _____
(enter County-assigned application number(s))

1(c). The following constitutes a listing*** of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state and zip code)

(check if applicable) ☐ The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. General Partner, Limited Partner, or General and Limited Partner)

(check if applicable) ☐ There is more partnership information and Par. 1(c) is continued on a "Rezoning Attachment to Par. 1(c)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

REZONING AFFIDAVIT

DATE: _____
(enter date affidavit is notarized)

for Application No. (s): _____
(enter County-assigned application number(s))

1(d). One of the following boxes **must** be checked:

☐ In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

☐ Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (**NOTE:** If answer is none, enter “**NONE**” on the line below.)

(check if applicable) ☐ There are more interests to be listed and Par. 2 is continued on a “Rezoning Attachment to Par. 2” form.

REZONING AFFIDAVIT

DATE: _____
(enter date affidavit is notarized)

for Application No. (s): _____
(enter County-assigned application number(s))

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) ☐ There are more disclosures to be listed and Par. 3 is continued on a "Rezoning Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

(check one) ☐ Applicant ☐ Applicant's Authorized Agent

(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this _____ day of _____, 20____, in the State/Comm. of _____, County/City of _____.

Notary Public

My commission expires: _____

Rezoning Attachment to Par. 1(a)

DATE: _____
(enter date affidavit is notarized)

for Application No. (s): _____
(enter County-assigned application number (s))

(NOTE): All relationships to the application are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.

NAME
(enter first name, middle initial, and last name)

ADDRESS
(enter number, street, city, state, and zip code)

RELATIONSHIP(S)
(enter applicable relationships listed in **BOLD** above)

(check if applicable)

☐ There are more relationships to be listed and Par. 1(a) is continued further on a “Rezoning Attachment to Par. 1(a)” form.

Rezoning Attachment to Par. 1(b)

DATE: _____
(enter date affidavit is notarized)

for Application No. (s): _____
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

DESCRIPTION OF CORPORATION: (check one statement)

- ☐ There are 10 or less shareholders, and all of the shareholders are listed below.
- ☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- ☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDER: (enter first name, middle initial, and last name)

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

DESCRIPTION OF CORPORATION: (check one statement)

- ☐ There are 10 or less shareholders, and all of the shareholders are listed below.
- ☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- ☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

(check if applicable) ☐ There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

Rezoning Attachment to Par. 1(c)

DATE: _____
(enter date affidavit is notarized)

for Application No. (s): _____
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

(check if applicable) ☐ The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g.,
General Partner, Limited Partner, or General and Limited Partner)

(check if applicable) ☐ There is more partnership information and Par. 1(c) is continued further on a
“Rezoning Attachment to Par. 1(c)” form.

Rezoning Attachment to Par. 2

DATE: _____
(enter date affidavit is notarized)

for Application No. (s): _____
(enter County-assigned application number (s))

(check if applicable)

☐ There are more financial interests in the subject land to be listed and Par. 2 is continued further on a "Rezoning Attachment to Par. 2" form.

Rezoning Attachment to Par. 3

DATE: _____
(enter date affidavit is notarized)

for Application No. (s): _____
(enter County-assigned application number (s))

(check if applicable)

☐ There are more disclosures to be listed for Par. 3, and Par. 3 is continued further on a “Rezoning Attachment to Par. 3” form.



Special Exception Affidavit Package

Please read carefully

On July 10, 2006, the Board of Supervisors of Fairfax County, Virginia, adopted revisions to the land use affidavit forms to be used with rezoning, special exception, special permit, and variance applications. The Planning Commission adopted its reaffirmation procedures on April 4, 2002. On February 24, 2003, the Board of Supervisors approved amendments to its "Reaffirmation Procedure for Affidavits."

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For further information or additional forms:
www.fairfaxcounty.gov/dpz/affidavits/

SPECIAL EXCEPTION AFFIDAVIT

DATE: _____
(enter date affidavit is notarized)

I, _____, do hereby state that I am an
(enter name of applicant or authorized agent)

(check one) ☐ applicant
 ☐ applicant's authorized agent listed in Par. 1(a) below

in Application No.(s): _____
(enter County-assigned application number(s), e.g. SE 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS,** and **LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
--	---	--

(check if applicable) ☐ There are more relationships to be listed and Par. 1(a) is continued on a "Special Exception Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

SPECIAL EXCEPTION AFFIDAVIT

DATE: _____
(enter date affidavit is notarized)

for Application No. (s): _____
(enter County-assigned application number(s))

1(b). The following constitutes a listing*** of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(NOTE: Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS** herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name and number, street, city, state, and zip code)

DESCRIPTION OF CORPORATION: (check one statement)

- ☐ There are 10 or less shareholders, and all of the shareholders are listed below.
- ☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- ☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial and last name)

(check if applicable) ☐ There is more corporation information and Par. 1(b) is continued on a "Special Exception Affidavit Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

SPECIAL EXCEPTION AFFIDAVIT

DATE: _____
(enter date affidavit is notarized)

for Application No. (s): _____
(enter County-assigned application number(s))

I(c). The following constitutes a listing*** of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, and number, street, city, state, and zip code)

(check if applicable) ☐ The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. **General Partner, Limited Partner, or General and Limited Partner**)

(check if applicable) ☐ There is more partnership information and Par. 1(c) is continued on a "Special Exception Affidavit Attachment to Par. 1(c)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

SPECIAL EXCEPTION AFFIDAVIT

DATE: _____
(enter date affidavit is notarized)

for Application No. (s): _____
(enter County-assigned application number(s))

=====

1(d). One of the following boxes **must** be checked:

☐ In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

☐ Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (**NOTE:** If answer is none, enter “**NONE**” on the line below.)

(check if applicable) ☐ There are more interests to be listed and Par. 2 is continued on a “Special Exception Attachment to Par. 2” form.

Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

Page Five

SPECIAL EXCEPTION AFFIDAVIT

DATE: _____
(enter date affidavit is notarized)

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.
- EXCEPT AS FOLLOWS:** (**NOTE:** If answer is none, enter "NONE" on line below.)

NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) ☐ There are more disclosures to be listed and Par. 3 is continued on a "Special Exception Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

(check one) ☐ Applicant ☐ Applicant's Authorized Agent

(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this _____ day of _____, 20____, in the State/Comm. of _____, County/City of _____.

Notary Public

My commission expires: _____

Special Exception Attachment to Par. 1(a)

DATE: _____
(enter date affidavit is notarized)

for Application No. (s): _____
(enter County-assigned application number (s))

(NOTE: All relationships to the application are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel (s) for each owner(s) in the Relationship column.)

NAME

(enter first name, middle initial, and last name)

ADDRESS

(enter number, street, city, state, and zip code)

RELATIONSHIP(S)

(enter applicable relationships listed in **BOLD** above)

(check if applicable)

[]

There are more relationships to be listed and Par. 1(a) is continued further on a “Special Exception Attachment to Par. 1(a)” form.

Special Exception Attachment to Par. 1(b)

DATE: _____
(enter date affidavit is notarized)

for Application No. (s): _____
(enter County-assigned application number (s))

=====

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

DESCRIPTION OF CORPORATION: (check one statement)

- ☐ There are 10 or less shareholders, and all of the shareholders are listed below.
- ☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- ☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

=====

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

DESCRIPTION OF CORPORATION: (check one statement)

- ☐ There are 10 or less shareholders, and all of the shareholders are listed below.
- ☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- ☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

=====

(check if applicable) ☐ There is more corporation information and Par. 1(b) is continued further on a "Special Exception Attachment to Par. 1(b)" form.

Special Exception Attachment to Par. 1(c)

DATE: _____
(enter date affidavit is notarized)

for Application No. (s): _____
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

(check if applicable) ☐ The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g.,
General Partner, Limited Partner, or General and Limited Partner)

(check if applicable) ☐ There is more partnership information and Par. 1(c) is continued further on a
“Special Exception Attachment to Par. 1(c)” form.

Special Exception Attachment to Par. 2

DATE: _____
(enter date affidavit is notarized)

for Application No. (s): _____
(enter County-assigned application number (s))

(check if applicable) ☐ There are more financial interests in the subject land to be listed and Par. 2 is continued further on a “Special Exception Attachment to Par. 2” form.

Special Exception Attachment to Par. 3

DATE: _____
(enter date affidavit is notarized)

for Application No. (s): _____
(enter County-assigned application number (s))

(check if applicable)

☐ There are more disclosures to the listed for Par. 3, and Par. 3 is continued further on a “Special Exception Attachment to Par. 3” form.



Special Permit/Variance Affidavit Package

Please read carefully

On July 10, 2006, the Board of Supervisors of Fairfax County, Virginia, adopted revisions to the land use affidavit forms to be used with rezoning, special exception, special permit, and variance applications. The Planning Commission adopted its reaffirmation procedures on April 4, 2002. On February 24, 2003, the Board of Supervisors approved amendments to its "Reaffirmation Procedure for Affidavits."

Important! The adopted Affidavits and Reaffirmation of Affidavit forms shall not be altered or modified in any way. Any form that is altered or modified in any way will not be accepted.

Contents

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Instructions

For your convenience, the *Date* and *Application Number(s)* need only be entered once and will automatically duplicate on each page of this document. Additional copies of the Affidavit and its Attachments can be downloaded as a complete package or individually at www.fairfaxcounty.gov/dpz/affidavits/.

Please note: Acrobat Reader will NOT allow you to save changes made to this document. Any information you enter in the form fields will be lost when the PDF file is closed; therefore, be sure to print and review your document before closing.

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Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: _____
(enter date affidavit is notarized)

I, _____, do hereby state that I am an
(enter name of applicant or authorized agent)

(check one) ☐ applicant
 ☐ applicant's authorized agent listed in Par. 1(a) below

and that, to the best of my knowledge and belief, the following is true:

=====

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(**NOTE:** All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
--	---	--

(check if applicable) ☐ There are more relationships to be listed and Par. 1(a) is continued on a "Special Permit/Variance Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

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SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: _____
(enter date affidavit is notarized)

1(b). The following constitutes a listing*** of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(NOTE: Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS** herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

DESCRIPTION OF CORPORATION: (check one statement)

- ☐ There are 10 or less shareholders, and all of the shareholders are listed below.
- ☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- ☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial, and last name)

(check if applicable) ☐ There is more corporation information and Par. 1(b) is continued on a "Special Permit/Variance Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s): _____
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SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: _____
(enter date affidavit is notarized)

=====
1(c). The following constitutes a listing*** of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state, and zip code)

(check if applicable) ☐ The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. **General Partner, Limited Partner, or General and Limited Partner**)

(check if applicable) ☐ There is more partnership information and Par. 1(c) is continued on a "Special Permit/Variance Attachment to Par. 1(c)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

Page Four

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: _____
(enter date affidavit is notarized)

=====

1(d). One of the following boxes **must** be checked:

☐ In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

☐ Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (**NOTE:** If answer is none, enter “**NONE**” on the line below.)

(check if applicable) ☐ There are more interests to be listed and Par. 2 is continued on a “Special Permit/Variance Attachment to Par. 2” form.

Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

Page Five

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: _____
(enter date affidavit is notarized)

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) ☐ There are more disclosures to be listed and Par. 3 is continued on a "Special Permit/Variance Attachment to Par. 3" form.

4. **That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.**

WITNESS the following signature:

(check one) ☐ Applicant ☐ Applicant's Authorized Agent

(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this _____ day of _____, 20____, in the State/Comm. of _____, County/City of _____.

Notary Public

My commission expires: _____

Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

Page _____ of _____

Special Permit/Variance Attachment to Par. 1(a)

DATE: _____
(enter date affidavit is notarized)

(NOTE): All relationships to the application are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel (s) for each owner(s) in the Relationship column.)

NAME

(enter first name, middle initial, and last name)

ADDRESS

(enter number, street, city, state, and zip code)

RELATIONSHIP(S)

(enter applicable relationships listed in **BOLD** above)

(check if applicable)

[]

There are more relationships to be listed and Par. 1(a) is continued further on a "Special Permit/Variance Attachment to Par. 1(a)" form.

Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

Page _____ of _____

Special Permit/Variance Attachment to Par. 1(b)

DATE: _____
(enter date affidavit is notarized)

=====

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

DESCRIPTION OF CORPORATION: (check one statement)

- ☐ There are 10 or less shareholders, and all of the shareholders are listed below.
- ☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- ☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

=====

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

DESCRIPTION OF CORPORATION: (check one statement)

- ☐ There are 10 or less shareholders, and all of the shareholders are listed below.
- ☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- ☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

=====

(check if applicable) ☐ There is more corporation information and Par. 1(b) is continued further on a "Special Permit/Variance Attachment to Par. 1(b)" form.

Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

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Special Permit/Variance Attachment to Par. 1(c)

DATE: _____
(enter date affidavit is notarized)

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state, zip code)

(check if applicable) ☐ The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g.,
General Partner, Limited Partner, or General and Limited Partner)

(check if applicable) ☐ There is more partnership information and Par. 1(c) is continued further on a
“Special Permit/Variance Attachment to Par. 1(c)” form.

Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

Page _____ of _____

Special Permit/Variance Attachment to Par. 2

DATE: _____
(enter date affidavit is notarized)

(check if applicable)

☐ There are more financial interests in the subject land to be listed and Par. 2 is continued further on a "Special Permit/Variance Attachment to Par. 2" form.

Special Permit/Variance Attachment to Par. 3

DATE: _____
(enter date affidavit is notarized)

for Application No. (s): _____
(enter County-assigned application number (s))

(check if applicable)

☐ There are more disclosures to be listed for Par. 3, and Par. 3 is continued further on a "Special Permit/Variance Attachment to Par. 3" form.

Reaffirmation of Affidavit

Please read carefully

On July 10, 2006, the Board of Supervisors of Fairfax County, Virginia, adopted revisions to the land use affidavit forms to be used with rezoning, special exception, special permit, and variance applications. The Planning Commission adopted its reaffirmation procedures on April 4, 2002. On February 24, 2003, the Board of Supervisors approved amendments to its "Reaffirmation Procedure for Affidavits."

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REAFFIRMATION PROCEDURE FOR AFFIDAVITS

A. Before the Planning Commission Hearing

1. On or before the close of business **twenty-two (22) business days prior to the public hearing** before the Planning Commission, the applicant or the applicant's authorized agent, which agent must be listed in Paragraph 1(a) of the applicant's affidavit, *shall* either:
 - a. Reaffirm the approved affidavit for the application by submitting the reaffirmation of the approved affidavit to the Office of the County Attorney on an approved REAFFIRMATION OF AFFIDAVIT form provided by the County (Attachment I); or
 - b. Submit a new affidavit on an approved affidavit form provided by the County to the Office of the County Attorney. A REAFFIRMATION OF AFFIDAVIT form provided by the County *shall* be attached to the new affidavit, identifying the paragraphs where such revisions or supplemental information is provided on the new affidavit.
2. If, subsequent to the timely submission of the reaffirmation form or new affidavit, the applicant's affidavit must be revised or supplemented prior to the scheduled Planning Commission hearing, a new affidavit on an approved affidavit form must be submitted to the Office of the County Attorney on or before the close of business **seven (7) business days prior to the scheduled Planning Commission hearing**. Failure to submit the revised affidavit to the County Attorney on or before the close of business seven (7) business days prior to the scheduled Planning Commission hearing is cause for removal of the application from the Planning Commission schedule to the next available Planning Commission hearing date. Such deferral may adversely affect any scheduled hearing before the Board of Supervisors hearing. If such deferral is necessary, the applicant shall be responsible for any required renotification of applicable property owners.
3. Compliance with the seven-day filing deadline for revised affidavit is mandatory for all applicants required to submit affidavits. This requirement may be waived by a vote of the Planning Commission at the scheduled hearing only if there are legitimate reasons for submitting the revised affidavit to the Office of the County Attorney after the required seven-day deadline.

4. At each and every hearing on the application before the Planning Commission, the applicant or the applicant's authorized agent, who must be listed in Paragraph 1(a) of the applicant's affidavit, shall be required to make an oral statement that the reaffirmed affidavit or the new affidavit is correct and accurate as of the date of the hearing.
5. If the applicant's hearing before the Planning Commission is deferred to a date that is more than eight (8) weeks subsequent to the scheduled hearing date, the reaffirmation procedure described in Paragraph A(1) above shall be followed again.

B. Before the Board of Supervisors Hearing

1. If prior to the public hearing before the Board of Supervisors, the applicant's approved affidavit which was reaffirmed at the hearing before the Planning Commission must be changed, deleted or supplemented in any way, a new affidavit on an affidavit form provided by the County must be submitted to the Office of the County Attorney before the close of business at least **seven (7) business days prior to the scheduled hearing date**. Failure to submit a new affidavit by the deadline will result in the removal of the application from the scheduled public hearing before the Board of Supervisors, unless the Board waives the seven-day deadline on its own motion.

Note: The failure to timely update the disclosure of financial relationships in an affidavit to accurately reflect the disclosure of financial relationships within the 12 months immediately preceding the Board's hearing may result in omissions or an incorrect, over inclusive affidavit, which would require the submission of a new affidavit and will result in removal of the application from the scheduled public hearing before the Board of Supervisors, unless the Board waives the seven-day deadline on its own motion.

2. Except in instances when a new affidavit is submitted in accordance with Paragraph B(1) and such submission is made less than 14 days immediately preceding any hearing before the Board of Supervisors, the applicant shall submit to the Office of the County Attorney a new Reaffirmation of Affidavit form before the close of business at least **seven (7) but no more than fourteen (14) business days prior to the scheduled hearing date**. Failure to submit a new affidavit or a reaffirmation affidavit by these deadlines will result in removal of the application from the scheduled public hearing before the Board of Supervisors, unless the Board waives these deadlines on its own motion.

3. If at the Board's hearing or at a point less than seven (7) business days prior to the Board's hearing, any changes are required or made to a new affidavit or to the reaffirmation affidavit, thereby resulting in the hearing being rescheduled, then the applicant shall submit to the Office of the County Attorney a new affidavit on an affidavit form provided by the County before the close of business at least **seven (7) but no more than fourteen (14) business days prior to the rescheduled hearing date**. Failure to submit the new affidavit by these deadlines will result in removal of the application from the rescheduled public hearing before the Board of Supervisors, unless the Board waives these deadlines on its own motion.
4. At each and every hearing on the application before the Board of Supervisors, the applicant or the applicant's authorized agent, described in Paragraph A(1) above, shall be required to make an oral statement that the reaffirmed affidavit or the new affidavit is correct and accurate as of the date of the hearing.

C. Before the Board of Zoning Appeals Hearing

1. If prior to the public hearing before the Board of Zoning Appeals, the applicant's approved affidavit must be changed, deleted, or supplemented in any way, a new affidavit on an affidavit form provided by the County must be submitted to the Office of the County Attorney on or before the close of business **twenty-two (22) business days prior to the scheduled hearing date**.
2. At each and every hearing on the application before the Board of Zoning Appeals, the applicant or the applicant's authorized agent, described in paragraph A (1) above, shall be required to make an oral statement that the approved affidavit or the new affidavit is correct and accurate as of the date of the hearing.

REAFFIRMATION OF AFFIDAVIT

In reference to the Affidavit dated _____ for the application of _____
(enter date of affidavit)

(enter name(s) of applicant(s))

in Application No(s): _____
(enter application number(s))

I, _____, do hereby state that I am an

(check one) ☐ applicant (must be listed in Par. 1(a) of the above-described affidavit)

☐ applicant's authorized agent (must be listed in Par. 1(a) of the above-described affidavit)

and that to the best of my knowledge and belief, the following information is true:

(check one) ☐ I have reviewed the above-described affidavit, and the information contained therein is true and complete as of _____

(enter today's date)

☐ I have reviewed the above-described affidavit, and I am submitting a new affidavit which includes changes, deletions or supplemental information to those paragraphs of the above-described affidavit indicated below:

(Check if applicable)

☐ Paragraph 1(a)

☐ Paragraph 2

☐ Paragraph 1(b)

☐ Paragraph 3

☐ Paragraph 1(c)

WITNESS the following signature:

(check one)

☐ Applicant

☐ Applicant's Authorized Agent

(Type or print first name, middle initial, last name and title of signee)

Subscribed and sworn to before me this _____ day of _____, _____, in the
State/Commonwealth of _____, County/City of _____.

Notary Public

My Commission expires: _____

Reaffirmation of Affidavit

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REAFFIRMATION PROCEDURE FOR AFFIDAVITS

A. Before the Planning Commission Hearing

1. On or before the close of business **twenty-two (22) business days prior to the public hearing** before the Planning Commission, the applicant or the applicant's authorized agent, which agent must be listed in Paragraph 1(a) of the applicant's affidavit, *shall* either:
 - a. Reaffirm the approved affidavit for the application by submitting the reaffirmation of the approved affidavit to the Office of the County Attorney on an approved REAFFIRMATION OF AFFIDAVIT form provided by the County (Attachment I); or
 - b. Submit a new affidavit on an approved affidavit form provided by the County to the Office of the County Attorney. A REAFFIRMATION OF AFFIDAVIT form provided by the County *shall* be attached to the new affidavit, identifying the paragraphs where such revisions or supplemental information is provided on the new affidavit.
2. If, subsequent to the timely submission of the reaffirmation form or new affidavit, the applicant's affidavit must be revised or supplemented prior to the scheduled Planning Commission hearing, a new affidavit on an approved affidavit form must be submitted to the Office of the County Attorney on or before the close of business **seven (7) business days prior to the scheduled Planning Commission hearing**. Failure to submit the revised affidavit to the County Attorney on or before the close of business seven (7) business days prior to the scheduled Planning Commission hearing is cause for removal of the application from the Planning Commission schedule to the next available Planning Commission hearing date. Such deferral may adversely affect any scheduled hearing before the Board of Supervisors hearing. If such deferral is necessary, the applicant shall be responsible for any required renotification of applicable property owners.
3. Compliance with the seven-day filing deadline for revised affidavit is mandatory for all applicants required to submit affidavits. This requirement may be waived by a vote of the Planning Commission at the scheduled hearing only if there are legitimate reasons for submitting the revised affidavit to the Office of the County Attorney after the required seven-day deadline.

4. At each and every hearing on the application before the Planning Commission, the applicant or the applicant's authorized agent, who must be listed in Paragraph 1(a) of the applicant's affidavit, shall be required to make an oral statement that the reaffirmed affidavit or the new affidavit is correct and accurate as of the date of the hearing.
5. If the applicant's hearing before the Planning Commission is deferred to a date that is more than eight (8) weeks subsequent to the scheduled hearing date, the reaffirmation procedure described in Paragraph A(1) above shall be followed again.

B. Before the Board of Supervisors Hearing

1. If prior to the public hearing before the Board of Supervisors, the applicant's approved affidavit which was reaffirmed at the hearing before the Planning Commission must be changed, deleted or supplemented in any way, a new affidavit on an affidavit form provided by the County must be submitted to the Office of the County Attorney before the close of business at least **seven (7) business days prior to the scheduled hearing date**. Failure to submit a new affidavit by the deadline will result in the removal of the application from the scheduled public hearing before the Board of Supervisors, unless the Board waives the seven-day deadline on its own motion.

Note: The failure to timely update the disclosure of financial relationships in an affidavit to accurately reflect the disclosure of financial relationships within the 12 months immediately preceding the Board's hearing may result in omissions or an incorrect, over inclusive affidavit, which would require the submission of a new affidavit and will result in removal of the application from the scheduled public hearing before the Board of Supervisors, unless the Board waives the seven-day deadline on its own motion.

2. Except in instances when a new affidavit is submitted in accordance with Paragraph B(1) and such submission is made less than 14 days immediately preceding any hearing before the Board of Supervisors, the applicant shall submit to the Office of the County Attorney a new Reaffirmation of Affidavit form before the close of business at least **seven (7) but no more than fourteen (14) business days prior to the scheduled hearing date**. Failure to submit a new affidavit or a reaffirmation affidavit by these deadlines will result in removal of the application from the scheduled public hearing before the Board of Supervisors, unless the Board waives these deadlines on its own motion.

3. If at the Board's hearing or at a point less than seven (7) business days prior to the Board's hearing, any changes are required or made to a new affidavit or to the reaffirmation affidavit, thereby resulting in the hearing being rescheduled, then the applicant shall submit to the Office of the County Attorney a new affidavit on an affidavit form provided by the County before the close of business at least **seven (7) but no more than fourteen (14) business days prior to the rescheduled hearing date**. Failure to submit the new affidavit by these deadlines will result in removal of the application from the rescheduled public hearing before the Board of Supervisors, unless the Board waives these deadlines on its own motion.
4. At each and every hearing on the application before the Board of Supervisors, the applicant or the applicant's authorized agent, described in Paragraph A(1) above, shall be required to make an oral statement that the reaffirmed affidavit or the new affidavit is correct and accurate as of the date of the hearing.

C. Before the Board of Zoning Appeals Hearing

1. If prior to the public hearing before the Board of Zoning Appeals, the applicant's approved affidavit must be changed, deleted, or supplemented in any way, a new affidavit on an affidavit form provided by the County must be submitted to the Office of the County Attorney on or before the close of business **twenty-two (22) business days prior to the scheduled hearing date**.
2. At each and every hearing on the application before the Board of Zoning Appeals, the applicant or the applicant's authorized agent, described in paragraph A (1) above, shall be required to make an oral statement that the approved affidavit or the new affidavit is correct and accurate as of the date of the hearing.

REAFFIRMATION OF AFFIDAVIT

In reference to the Affidavit dated _____ for the application of _____
(enter date of affidavit)

(enter name(s) of applicant(s))

in Application No(s):

(enter application number(s))

I, _____, do hereby state that I am an

(check one) ☐ applicant (must be listed in Par. 1(a) of the above-described affidavit)

☐ applicant's authorized agent (must be listed in Par. 1(a) of the above-described affidavit)

and that to the best of my knowledge and belief, the following information is true:

(check one) ☐ I have reviewed the above-described affidavit, and the information contained therein is true and complete as of _____

(enter today's date)

☐ I have reviewed the above-described affidavit, and I am submitting a new affidavit which includes changes, deletions or supplemental information to those paragraphs of the above-described affidavit indicated below:

(Check if applicable)

☐ Paragraph 1(a)

☐ Paragraph 2

☐ Paragraph 1(b)

☐ Paragraph 3

☐ Paragraph 1(c)

WITNESS the following signature:

(check one)

☐ Applicant

☐ Applicant's Authorized Agent

(Type or print first name, middle initial, last name and title of signee)

Subscribed and sworn to before me this _____ day of _____, _____, in the
State/Commonwealth of _____, County/City of _____.

Notary Public

My Commission expires: _____

Reaffirmation of Affidavit

Please read carefully

On July 10, 2006, the Board of Supervisors of Fairfax County, Virginia, adopted revisions to the land use affidavit forms to be used with rezoning, special exception, special permit, and variance applications. The Planning Commission adopted its reaffirmation procedures on April 4, 2002. On February 24, 2003, the Board of Supervisors approved amendments to its "Reaffirmation Procedure for Affidavits."

Important! The adopted Affidavits and Reaffirmation of Affidavit forms shall not be altered or modified in any way. Any form that is altered or modified in any way will not be accepted.

Contents

1 Reaffirmation of Affidavit form

Instructions

Additional copies of the Reaffirmation of Affidavit form or other Affidavit forms can be downloaded from www.fairfaxcounty.gov/dpz/affidavits/.

Please note: Acrobat Reader will NOT allow you to save changes made to this document. Any information you enter in the form fields will be lost when the PDF file is closed; therefore, be sure to print and review your document before closing.

If you have a complete version of Acrobat installed on your computer, your changes may be saved for later use.

Support

If you are unsure as to which form to use, please call:
County of Fairfax, Department of Planning and Zoning at 703-324-1290, TTY 711.

For further information or additional forms:
www.fairfaxcounty.gov/dpz/affidavits/

REAFFIRMATION PROCEDURE FOR AFFIDAVITS

A. Before the Planning Commission Hearing

1. On or before the close of business **twenty-two (22) business days prior to the public hearing** before the Planning Commission, the applicant or the applicant's authorized agent, which agent must be listed in Paragraph 1(a) of the applicant's affidavit, *shall* either:
 - a. Reaffirm the approved affidavit for the application by submitting the reaffirmation of the approved affidavit to the Office of the County Attorney on an approved REAFFIRMATION OF AFFIDAVIT form provided by the County (Attachment I); or
 - b. Submit a new affidavit on an approved affidavit form provided by the County to the Office of the County Attorney. A REAFFIRMATION OF AFFIDAVIT form provided by the County *shall* be attached to the new affidavit, identifying the paragraphs where such revisions or supplemental information is provided on the new affidavit.
2. If, subsequent to the timely submission of the reaffirmation form or new affidavit, the applicant's affidavit must be revised or supplemented prior to the scheduled Planning Commission hearing, a new affidavit on an approved affidavit form must be submitted to the Office of the County Attorney on or before the close of business **seven (7) business days prior to the scheduled Planning Commission hearing**. Failure to submit the revised affidavit to the County Attorney on or before the close of business seven (7) business days prior to the scheduled Planning Commission hearing is cause for removal of the application from the Planning Commission schedule to the next available Planning Commission hearing date. Such deferral may adversely affect any scheduled hearing before the Board of Supervisors hearing. If such deferral is necessary, the applicant shall be responsible for any required renotification of applicable property owners.
3. Compliance with the seven-day filing deadline for revised affidavit is mandatory for all applicants required to submit affidavits. This requirement may be waived by a vote of the Planning Commission at the scheduled hearing only if there are legitimate reasons for submitting the revised affidavit to the Office of the County Attorney after the required seven-day deadline.

4. At each and every hearing on the application before the Planning Commission, the applicant or the applicant's authorized agent, who must be listed in Paragraph 1(a) of the applicant's affidavit, shall be required to make an oral statement that the reaffirmed affidavit or the new affidavit is correct and accurate as of the date of the hearing.
5. If the applicant's hearing before the Planning Commission is deferred to a date that is more than eight (8) weeks subsequent to the scheduled hearing date, the reaffirmation procedure described in Paragraph A(1) above shall be followed again.

B. Before the Board of Supervisors Hearing

1. If prior to the public hearing before the Board of Supervisors, the applicant's approved affidavit which was reaffirmed at the hearing before the Planning Commission must be changed, deleted or supplemented in any way, a new affidavit on an affidavit form provided by the County must be submitted to the Office of the County Attorney before the close of business at least **seven (7) business days prior to the scheduled hearing date**. Failure to submit a new affidavit by the deadline will result in the removal of the application from the scheduled public hearing before the Board of Supervisors, unless the Board waives the seven-day deadline on its own motion.

Note: The failure to timely update the disclosure of financial relationships in an affidavit to accurately reflect the disclosure of financial relationships within the 12 months immediately preceding the Board's hearing may result in omissions or an incorrect, over inclusive affidavit, which would require the submission of a new affidavit and will result in removal of the application from the scheduled public hearing before the Board of Supervisors, unless the Board waives the seven-day deadline on its own motion.

2. Except in instances when a new affidavit is submitted in accordance with Paragraph B(1) and such submission is made less than 14 days immediately preceding any hearing before the Board of Supervisors, the applicant shall submit to the Office of the County Attorney a new Reaffirmation of Affidavit form before the close of business at least **seven (7) but no more than fourteen (14) business days prior to the scheduled hearing date**. Failure to submit a new affidavit or a reaffirmation affidavit by these deadlines will result in removal of the application from the scheduled public hearing before the Board of Supervisors, unless the Board waives these deadlines on its own motion.

3. If at the Board's hearing or at a point less than seven (7) business days prior to the Board's hearing, any changes are required or made to a new affidavit or to the reaffirmation affidavit, thereby resulting in the hearing being rescheduled, then the applicant shall submit to the Office of the County Attorney a new affidavit on an affidavit form provided by the County before the close of business at least **seven (7) but no more than fourteen (14) business days prior to the rescheduled hearing date**. Failure to submit the new affidavit by these deadlines will result in removal of the application from the rescheduled public hearing before the Board of Supervisors, unless the Board waives these deadlines on its own motion.
4. At each and every hearing on the application before the Board of Supervisors, the applicant or the applicant's authorized agent, described in Paragraph A(1) above, shall be required to make an oral statement that the reaffirmed affidavit or the new affidavit is correct and accurate as of the date of the hearing.

C. Before the Board of Zoning Appeals Hearing

1. If prior to the public hearing before the Board of Zoning Appeals, the applicant's approved affidavit must be changed, deleted, or supplemented in any way, a new affidavit on an affidavit form provided by the County must be submitted to the Office of the County Attorney on or before the close of business **twenty-two (22) business days prior to the scheduled hearing date**.
2. At each and every hearing on the application before the Board of Zoning Appeals, the applicant or the applicant's authorized agent, described in paragraph A (1) above, shall be required to make an oral statement that the approved affidavit or the new affidavit is correct and accurate as of the date of the hearing.

REAFFIRMATION OF AFFIDAVIT

In reference to the Affidavit dated _____ for the application of _____
(enter date of affidavit)

(enter name(s) of applicant(s))

in Application No(s):

(enter application number(s))

I, _____, do hereby state that I am an

(check one) ☐ applicant (must be listed in Par. 1(a) of the above-described affidavit)

☐ applicant's authorized agent (must be listed in Par. 1(a) of the above-described affidavit)

and that to the best of my knowledge and belief, the following information is true:

(check one) ☐ I have reviewed the above-described affidavit, and the information contained therein is true and complete as of

(enter today's date)

☐ I have reviewed the above-described affidavit, and I am submitting a new affidavit which includes changes, deletions or supplemental information to those paragraphs of the above-described affidavit indicated below:

(Check if applicable)

☐ Paragraph 1(a)

☐ Paragraph 2

☐ Paragraph 1(b)

☐ Paragraph 3

☐ Paragraph 1(c)

WITNESS the following signature:

(check one)

☐ Applicant

☐ Applicant's Authorized Agent

(Type or print first name, middle initial, last name and title of signee)

Subscribed and sworn to before me this _____ day of _____, _____, in the
State/Commonwealth of _____, County/City of _____.

Notary Public

My Commission expires: _____

ATTACHMENT 2

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§ 15.2-2289. Localities may provide by ordinance for disclosure of real parties in interest.

In addition to the powers granted by this chapter, localities may provide by ordinance that the local planning commission, governing body or zoning appeals board may require any applicant for a special exception, or a special use permit, amendment to the zoning ordinance or variance to make complete disclosure of the equitable ownership of the real estate to be affected including, in the case of corporate ownership, the name of stockholders, officers and directors and in any case the names and addresses of all of the real parties of interest. However, the requirement of listing names of stockholders, officers and directors shall not apply to a corporation whose stock is traded on a national or local stock exchange and having more than 500 shareholders. In the case of a condominium, the requirement shall apply only to the title owner, contract purchaser, or lessee if they own 10% or more of the units in the condominium.

(1970, c. 573, § 15.1-486.1; 1975, cc. 575, 641; 1976, c. 370; 1980, c. 604; 1986, c. 173; 1988, c. 408; 1989, cc. 25, 232; 1992, c. 596; 1993, c. 288; 1994, c. 192; 1997, c. 587; 2006, cc. 9, 317.)

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ATTACHMENT 3

Article 9 - Administration and Enforcement

properties or persons responsible for the violation, in addition to such other penalties as may be appropriate under the terms of Article 13, Violations and Penalties.

If no violation is found, the costs of the determinations shall be paid by the County without assessment against the properties or persons involved.

908 FEES FOR PERMITS, AMENDMENTS

Fees for Zoning Permits, Commission Permits, Sign Permits, Applications for Amendments, or other applications requiring a fee shall be payable to "Treasurer, Loudoun County" in the amount set by resolution of the Board of Supervisors.

Exceptions for payment of fees are cited in Article 12.

909 DISCLOSURE OF REAL PARTIES IN INTEREST

- a. Mandatory Disclosure of Real Parties in Interest. All applicants for zoning map amendment petitions, special exceptions, and variances shall disclose at the time of application the equitable ownership of the real estate which is the subject of the application. In such cases, the applicant shall list the names and addresses of all persons who hold a beneficial interest in the subject property. However, the requirement of listing names of stockholders, officers, and directors shall not apply to a corporation whose stock is traded on a national or local stock exchange and having more than 500 shareholders. The applicant shall keep this information current at all times during the processing of the application.
- b. Mandatory Disclosure of Public Officials' Interest. The applicant shall further make oath or affirmation stating whether or not any member of the local Commission, Board of Zoning Appeals, or governing body has any interest in such property, either individually, by ownership of stock in a corporation owning such land, or partnership, or whether a member of the immediate household of any member of the Commission, Board of Zoning Appeals, or governing body has any such interest.
- c. Voluntary Disclosure of Campaign Contributions. In addition, all applicants for zoning map amendment petitions, special exceptions and variances shall be requested to disclose voluntarily in writing at the time of application the names and addresses of all real parties in interest, including the names and addresses of all persons who hold a beneficial interest in the subject property, who have, within five years of the application date, contributed, gift or donation, more than one hundred dollars to any current member of the Board of Supervisors.